

D-3173



JC10 Rec'd PCT/PTO 17 JUN 2005

PCT #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT

In re application of  
Thomas Kelly et al ) Group Art Unit: N/A  
Serial No. 10/511,790 ) Examiner: N/A  
Filed: April 17, 2003 )  
For: ALGINATE OR LOW-METHOXY )  
PECTATE GEL )

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on or before

Date: June 14, 2005

Signed: Jean F. Heuler  
Jean F. Heuler

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed April 14, 2005, enclosed is a copy of the Notice and the executed Declaration in the above-identified application. Also enclosed in a Preliminary Amendment and Information Disclosure Statement with form 1449 and copies of cited art.

The Preliminary Amendment canceled the original claims 1-25, and added new claims 26-49. Of the twenty-four (24) total claims, two (2) claims are independent, therefore, the fees enclosed herewith include a fee for four (4) excess claims.

Enclosed is a check in the amount of \$330 to cover the surcharge and excess claim fee as follows:

1. Surcharge \$130
2. 4 excess claims at \$50 each = \$200

06/23/2005 MKAYPAGH 0000062 10511790

01 FC:1617  
02 FC:1615

130.00 OP  
200.00 OP

If for any reason additional fees are due, authorization is hereby given to charge Deposit Account No. 21-0890 for any deficiency or credit any over payment.

Respectfully submitted,



Frank J. Uxa  
Attorney for Applicant  
Reg. No. 25,612  
4 Venture, Suite 300  
Irvine, CA 92618  
(949) 450-1750  
Facsimile (714) 450-1764

FJUxa/jh



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,790	Thomas Reid Kelly	D-3173

Frank J Uxa  
 Stout Uxa Buyan & Mullins  
 4 Venture  
 Suite 300  
 Irvine, CA 92618

**COPY**

INTERNATIONAL APPLICATION NO.

PCT/GB03/01657

I.A. FILING DATE	PRIORITY DATE
04/17/2003	04/19/2002

CONFIRMATION NO. 6291

371 FORMALITIES LETTER

OC000000015732831\*

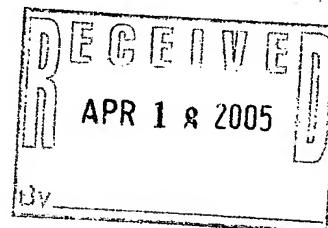
\*OC000000015732831\*

Date Mailed: 04/14/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/14/2004
- Copy of the International Search Report filed on 10/14/2004
- Request for Immediate Examination filed on 10/14/2004
- U.S. Basic National Fees filed on 10/14/2004
- Priority Documents filed on 10/14/2004



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

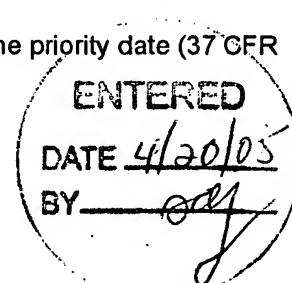
**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions



of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,790	PCT/GB03/01657	D-3173

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COPY**